

SAMUEL TUCKER, *pro se*, )  
)  
Plaintiff, )  
)  
v. ) Case No. CIV-14-877-M  
)  
MERCY TISHOMINGO HOSPITAL )  
CORPORATION, a domestic not for )  
profit corporation, )  
)  
Defendant. )

On September 26, 2016, plaintiff filed his Motion to Reconsider the Court's September 15, 2016 Order denying plaintiff's Motion to Vacate. On September 28, 2016, defendant filed its objection to plaintiff's Motion to Reconsider. Based on the parties' submissions, the Court makes its determination.


“Grounds warranting a motion to reconsider include (1) an intervening change in the controlling law, (2) new evidence previously unavailable, and (3) the need to correct error or prevent manifest injustice.” *Servants of the Paraclete v. John Does I-XVI*, 204 F.3d 1005, 1012 (10th Cir. 2000). A motion to reconsider is appropriate “where the court has misapprehended the

facts, a party's position, or the controlling law" but is not appropriate "to revisit issues already addressed or advance arguments that could have been raised in prior briefing." *Id.*

Having reviewed the parties' submissions, the Court finds that plaintiff has provided absolutely no new grounds that would warrant the Court reconsidering its September 15, 2016 Order denying his Motion to Vacate. The Court has already determined that the mediation process was legitimate and the Mediation Agreement executed between the two parties was lawful. Therefore, the Court finds that plaintiff's Motion to Reconsider should be denied.

Accordingly, for the reasons set forth above, the Court DENIES plaintiff's Motion to Reconsider [docket no. 77].

**IT IS SO ORDERED this 19th day of October, 2016.**

  
VICKI MILES-LAGRANGE  
UNITED STATES DISTRICT JUDGE